

MEMO ENDORSED



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MURIEL GOODE-TRUFANT
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007

MARY JANE ANDERSON
Assistant Corporation Counsel
Phone: (212) 356-2415
Fax: (212) 356-3509
maanders@law.nyc.gov

June 3, 2025

VIA ECF

Honorable Colleen McMahon
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

OK. The conference
is adjourned to
June 16, 2025 at 10:30 am.

Re: Tyrefe Kelly v. City of New York, et al.,
25 Civ. 0152

Colleen McMahon
6/4/2025

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel and the attorney representing defendants the City of New York, the New York City Department of Correction, and the New York City Police Department ("Defendants") in this matter.¹ Defendants respectfully request that the Court adjourn the initial conference presently scheduled for June 5, 2025 due to a scheduling conflict. This is the third request that the Court adjourn the initial conference. Plaintiff consents to the instant request.

On April 30, 2025, the Court *sua sponte* adjourned the initial conference, which was previously scheduled for May 1, 2025, until May 8, 2025 at 11:30 am. On May 6, the parties jointly requested an adjournment of the initial conference from May 8, 2025, to a date and time that is convenient to the Court because the Special Federal Litigation Division of the NYC Law Department was holding a pre-scheduled, day-long event on the same date and attendance is mandatory and because plaintiff's counsel also has a pre-scheduled conflict and was unable to attend the conference. The Court granted the request and adjourned the initial conference until June 5, 2025. However, the undersigned has a pre-scheduled settlement conference in another matter on June 5, 2025.

¹ Defendants respectfully note that DOC and NYPD are non-suable entities. See Ortiz v. Ardolino, 19-CV-0069 (ILG) (ST), 2021 U.S. Dist. LEXIS 97387, at *4 (E.D.N.Y. May 21, 2021) (holding that "it is well-settled that the NYPD, its 75th Precinct, and the DOC are not suable entities.") (internal citations omitted).

Accordingly, the parties respectfully request that the Court adjourn the initial conference in this matter to a date and time that is convenient to the Court and the parties. In an attempt to avoid potential scheduling conflicts in the future, the parties note that they are available on: June 16, 2025, June 24, 2025, and June 26, 2025.

Defendants thank the Court for its time and consideration herein.

Respectfully submitted,

Mary Jane Anderson /s/

Mary Jane Anderson
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Ezra B. Glaser, Esq. (via ECF)